

117TH CONGRESS  
1ST SESSION

# H. R. 4682

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30, 2021

Received, read twice and referred to the Committee on Homeland Security and  
Governmental Affairs

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## AN ACT

To prohibit the Secretary of Homeland Security from operating or procuring certain foreign-made unmanned aircraft systems, and for other purposes.

1       *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## **1 SECTION 1. SHORT TITLE.**

This Act may be cited as the “Unmanned Aerial Security Act” or the “UAS Act”.

7       (a) PROHIBITION ON AGENCY OPERATION OR PRO-  
8 CUREMENT.—Except as provided in subsection (b) and  
9 subsection (c)(3), the Secretary of Homeland Security  
10 may not operate, provide financial assistance for, or enter  
11 into or renew a contract for the procurement of—

16 (B) uses flight controllers, radios, data  
17 transmission devices, cameras, or gimbals man-  
18 ufactured in a covered foreign country or by a  
19 corporation domiciled in a covered foreign coun-  
20 try;

21 (C) uses a ground control system or oper-  
22 ating software developed in a covered foreign  
23 country or by a corporation domiciled in a cov-  
24 ered foreign country; or

25 (D) uses network connectivity or data stor-  
26 age located in a covered foreign country or ad-

1 ministered by a corporation domiciled in a cov-  
2 ered foreign country;

3 (2) a software operating system associated with  
4 a UAS that uses network connectivity or data stor-  
5 age located in a covered foreign country or adminis-  
6 tered by a corporation domiciled in a covered foreign  
7 country; or

8 (3) a system for the detection or identification  
9 of a UAS, which system is manufactured in a cov-  
10 ered foreign country or by a corporation domiciled in  
11 a covered foreign country.

12 (b) WAIVER.—

13 (1) IN GENERAL.—The Secretary of Homeland  
14 Security is authorized to waive the prohibition under  
15 subsection (a) if the Secretary certifies in writing to  
16 the Committee on Homeland Security of the House  
17 of Representatives and the Committee on Homeland  
18 Security and Governmental Affairs of the Senate  
19 that a UAS, a software operating system associated  
20 with a UAS, or a system for the detection or identi-  
21 fication of a UAS referred to in any of subpara-  
22 graphs (A) through (C) of such subsection that is  
23 the subject of such a waiver is required—

24 (A) in the national interest of the United  
25 States;

11 (c) EFFECTIVE DATES.—

12                         (1) IN GENERAL.—This Act shall take effect on  
13                         the date that is 120 days after the date of the enact-  
14                         ment of this Act.

the detection or identification of a UAS described in any of subparagraphs (1) through (3) of such subsection that was in the inventory of such office or component on the day before the effective date of this Act until—

(A) such time as the Secretary of Homeland Security has—

13 whichever is later.

14 (d) DRONE ORIGIN SECURITY REPORT TO CON-  
15 GRESS.—Not later than 180 days after the date of the  
16 enactment of this Act, the Secretary of Homeland Security  
17 shall submit to the Committee on Homeland Security of  
18 the House of Representatives and the Committee on  
19 Homeland Security and Governmental Affairs of the Sen-  
20 ate a terrorism threat assessment and report that contains  
21 information relating to the following:

1 or identification of a UAS from a covered foreign  
2 country operating in the United States poses, and  
3 the results of such analysis.

4 (2) The number of UAS, software operating  
5 systems associated with a UAS, or systems for the  
6 detection or identification of a UAS from a covered  
7 foreign country in operation by the Department, in-  
8 cluding an identification of the component or office  
9 of the Department at issue, as of such date.

10 (3) The extent to which information gathered  
11 by such a UAS, a software operating system associ-  
12 ated with a UAS, or a system for the detection or  
13 identification of a UAS from a covered foreign coun-  
14 try could be employed to harm the national or eco-  
15 nomic security of the United States.

16 (e) DEFINITIONS.—In this section:

17 (1) COVERED FOREIGN COUNTRY.—The term  
18 “covered foreign country” means a country that—

19 (A) the intelligence community has identi-  
20 fied as a foreign adversary in its most recent  
21 Annual Threat Assessment; or

22 (B) the Secretary of Homeland Security,  
23 in coordination with the Director of National  
24 Intelligence, has identified as a foreign adver-

1               sary that is not included in such Annual Threat  
2               Assessment.

Passed the House of Representatives September 29,  
2021.

Attest: **CHERYL L. JOHNSON,**  
*Clerk.*